



Room 301, Hall of Records
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Board of Supervisors Agenda

Chairman

Juan Arambula
3rd District

Vice Chairman

Susan B. Anderson
2nd District

Phil Larson
1st District

Bart Bohn
County Admin. Officer

Judith G. Case
4th District

Phillip S. Cronin
County Counsel

Bob Waterston
5th District

Bernice E. Seidel
Clerk

ACTION SUMMARY MINUTES

TUESDAY

JANUARY 14, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

Supervisor Waterston

1. Adopt resolution honoring Tim Kochheiser for his heroic action in assisting in the apprehension, arrest and conviction of an arsonist responsible for grass fires in the Auberry area

AnWCLA

APPROVED AS RECOMMENDED

2. Adopt resolution honoring Kurt Luikhart for his heroic action in assisting in the apprehension, arrest and conviction of an arsonist responsible for a series of wildfires in the Sierra foothills

AnWCLA

APPROVED AS RECOMMENDED

3. **Morning Consent Agenda – Item Numbers 19 – 44**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

CAnLWA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NO. 36 WHICH WAS DELETED FROM THE AGENDA, AND ITEM NO. 25 WHICH WAS PULLED FOR DISCUSSION

CWAnLA

APPROVED ITEM NO. 25 AS RECOMMENDED

The Tuesday Board of Supervisors meeting is broadcast live on
Radio KFCF•FM 88.1 9:00 A.M. until Noon and 2:00 P.M. until 6:00 P.M.

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Supervisor Arambula

4. Adopt resolution authorizing Chairman of the Board of Supervisors to utilize, at his or her discretion, a signature stamp on all papers, documents and/or instruments, requiring the Chairman's signature

CAnWLA

APPROVED AS RECOMMENDED**Supervisor Case**

5. Consider the request by the Riverdale Public Utility District for funding of Riverdale Volunteer Fire Department equipment and, if acceptable, take the following actions: Approve the use County funds in the amount of \$23,808 by the Riverdale Volunteer Fire Department for the purchase of equipment, approve budget transfer No. 46 in the amount of \$23,808 and authorize the County Administrative Officer to execute a contract with the Riverdale Public Utility District for the purchase of Riverdale Volunteer Fire Department equipment using County funds

CAnWLA

APPROVED AS RECOMMENDED WITH CLARIFICATION THAT THE USE OF COUNTY FUNDS AND BUDGET TRANSFER NUMBER 46 ARE HEREBY APPROVED IN THE AMOUNT OF \$20,808**District Attorney**

6. Approve and authorize Clerk to execute Budget Transfer No. 42 (\$354,708) to transfer current year appropriations from District Attorney – Child Abduction Unit Budget 28630200 to the District Attorney Budget 2860, and approve Salary Resolution Amendments, Appendix C, deleting nine positions from the Child Abduction Unit Budget 28630200, and two positions from District Attorney Budget 2860

AnCWLA

APPROVED AS RECOMMENDED; DIRECTED COUNTY ADMINISTRATIVE OFFICE, PERSONNEL, SHERIFF, PROBATION DEPARTMENT AND ANY OTHER DEPARTMENT THAT CAN ASSIST IN HELPING EMPLOYEES WHO ARE LAID OFF TO FIND OTHER POSITIONS; FURTHER DIRECTED STAFF TO RETURN TO THE BOARD ON JANUARY 28, 2003, WITH A STATUS REPORT**Administrative Office**

7. Adopt Legislative Platforms; direct staff to pursue development of legislative proposals on file with Clerk to the Board, that are specific to Fresno County and/or Statewide in their import, proceed to obtain authors, and direct the County Administrative Office to support or oppose legislation in accordance with the policies and proposals contained in the platforms

AnCWLA

APPROVED AS RECOMMENDED

8. Approve and authorize Chairman to execute the Pierce's Disease Control Program Agreement with the California Department of Food and Agriculture (\$908,860)

LCAnWA

APPROVED AS RECOMMENDED

- 9 Receive verbal report on the County purchasing process; and authorize Purchasing Manager to execute service contracts up to a limit of \$100,000

Consensus

CONTINUED ITEM TO JANUARY 28, 2003, WITH DIRECTION TO STAFF TO INCLUDE AN ESTIMATE OF THE NUMBER OF SERVICE CONTRACTS OVER AND THE NUMBER UNDER \$100,000 PER YEAR

Supervisor Case

10. Discuss and take action on Parlier Cemetery District's request to expand its Board of Directors to a five-member board from the current membership of three

CWAnLA

APPROVED AS RECOMMENDED

Administrative Office

11. **Board of Supervisor's Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

RECEIVED

12. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

HOUSING AUTHORITY

REAPPOINTED MORRIS KYLE, JR.

HUMAN RESOURCES ADVISORY BOARD

APPOINTED CLARA SMITH TO REPLACE REV. C. WAYNE BYNUM JR.

LOWER SAN JOAQUIN LEVEE DISTRICT

REAPPOINTED DON SKINNER AND MARTIN SEAN HOWARD

RETIREMENT BOARD

REAPPOINTED AMERICO PAPALEO

APPOINTED MICHAEL CARDENAS TO REPLACE HIROSHI KUSAKAI

CAnWLA

APPROVED NOMINATIONS FOR APPOINTMENTS/REAPPOINTMENTS

- a. Selection of Board Members to serve on various Boards, Commissions, Committees

AnCWLA

APPROVED APPOINTMENTS AS SHOWN ON ATTACHMENT "A" OF AGENDA ITEM

13. **Closed Session –**

- a. Conference with legal counsel – Significant Exposure to Litigation
Government Code Section 54956.9(b)
No. of Cases: 1
- b. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator:
Ralph Jimenez; Employee Organization: All Bargaining Units and
Management and Unrepresented Employees – Hours, Wages and
Terms and Conditions of Employment

HELD

NOON RECESS

2:00 P.M.**14. Afternoon Consent Agenda – Item Numbers 45 – 52**

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- Items to be removed from Consent for Discussion
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AnCWLA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM NO. 47 WHICH WAS PULLED FOR DISCUSSION

ACAnWL

APPROVED ITEM NO. 47 AS RECOMMENDED

Administrative Office

15. Adopt the proposed Negative Declaration prepared for Initial Study Application No. 4716 for the acquisition of a 6,000 square-foot parcel of land (APN 057-183-14T) for development and operation of a public library. The improvements consist of renovating an existing historical structure and constructing a restroom addition in compliance with the Secretary of the Interior Standards for Historic Properties. The project site is located at the southwest corner of DeWoody and Castro Avenues within the unincorporated community of Laton; and accept a Grant Deed, and approve and authorize Chairman to execute the Real Estate Purchase Agreement with Laton Community Services District for acquisition of a building and land containing 6,000 square feet located at 6313 DeWoody Street in Laton, for the expanded Laton Library (\$1.00)

CAnWLA

APPROVED AS RECOMMENDED

16. Award Contract No. 02-S-09, the Laton Library Restoration, to the low bidder, Curll Construction, Inc., 960 E. Yale Avenue, Fresno, CA, 93727, in the amount \$428,900; approve and authorize Clerk to execute Budget Transfer No. 47 (\$147,450) to appropriate sufficient funds to complete the Laton Library Restoration Project

CAnWLA

APPROVED AS RECOMMENDED

17. Approve in concept to contract with the Fresno Convention and Visitor's Bureau (CVB) for the County's Community Development Manager of the Public Works and Planning Department to be designated the Director of Tourism, and for the tourism functions to be carried out by the Community Development Manager and staff; and direct staff to prepare contract and appropriate recommendations and other associated documents to consolidate functions related to achieving the Board's strategic economic vision, by February 25, 2003

AnLCWA

APPROVED AS RECOMMENDED

18. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD;REFERRED TO STAFF FOR REVIEW AND RESPONSE

ADDENDUM TO AGENDA

Administrative Office

Direct Department of Public Works and Planning staff to proceed with abandonment procedures for the vacation of pedestrian and utility easements in the Mayfair Subdivision and waive the \$1,300 application fee

Placement on Agenda: **To Follow Item 17**

CAnWLA

APPROVED AS RECOMMENDED

CAnWLA

ADJOURNED

NEXT MEETINGS:

January 28, 2003 – 9:00 A.M.

February 4, 2003 – 9:00 A.M.

MORNING CONSENT AGENDA – Item Numbers 19 – 44

(Any Board Member may pull any consent item for discussion or separate vote)

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CWAnLA **APPROVED ITEM NO. 25 AS RECOMMENDED**

Supervisor Arambula

19. Approve proclamation recognizing Dr. Peter Mehas for his dedication to United Cerebral Palsy and the community of Fresno

County Clerk/Registrar of Voters

20. Accept the Certified Statement of Results for the November 5, 2002 General Election

County Counsel

21. Approve and authorize Chairman to execute amendment to agreement for expert witness services with an appraisal firm, DANA Property Analysis, in connection with condemnation of property for use as a permanent satellite jail facility (\$24,500)
22. Approve and authorize County Counsel to file proposed Judgment increasing compensation in Academy Avenue Eminent Domain Case – County v. John Vang (\$4,893.12)

Sheriff

23. Adopt resolutions increasing for FY 2002-03 appropriations and estimated revenues for the Sheriff Grant Org. 31121401 (\$83,340); increasing FY 2002-03 operating plan for Fleet Services Equipment Org. 8911 (\$28,340); increasing FY 2002-03 appropriations and estimated revenues for the Sheriff Org. 3110 (\$120,098); and increasing FY 2002-03 operating plan for Fleet Services Equipment Org. 8911 (\$120,098) (4/5 vote)
24. Approve and authorize the disposal of one Forward Looking Infrared System which has been deemed surplus property
25. Approve the donation of a Sheriff's Department fixed asset (firearm) to the widow of Deputy Sheriff Dennis Phelps, and adopt resolution increasing FY 2002-03 appropriations and estimated revenues for Sheriff's Org. 3110 (\$682) to purchase a replacement firearm (4/5 vote)

CWAnLA **APPROVED ITEM NO. 25 AS RECOMMENDED**

26. Approve and authorize Chairman to execute amendments to agreements with the Cities of Mendota, Orange Cove, and San Joaquin for the Street Level Narcotics Enforcement Unit (\$300,000)

Administrative Office

27. **Salary Resolution Amendments** (Copy of amendments attached in Supervisors' Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
28. Addendum to Memorandum of Understanding for Representation Unit 19 regarding bilingual skill pay
29. Rescind Resolution No. 02-638 amending the distribution of Local Penalty Assessment Funds approved by the Board of Supervisors on December 10, 2002
30. Call special election to fill vacancy created by resignation of Janet Coleman as General Member Representative on the Board of Retirement
31. Cancel election and appoint Michael Thobe as safety member representative on the Board of Retirement
32. Approve and authorize Chairman to initial contract language addition on Vehicle Ownership for the Insect Detection Trapping Contract with the California Department of Food and Agriculture
33. Adopt resolutions reallocating FY 2001-02 funds to FY 2002-03 within the Department of Community Health (\$62,137), FY 2000-01 funds to FY 2002-03 (\$101,097) within Fleet Services ISF Org. 8911; and increasing Fleet Services FY 2002-03 Internal Service Fund Org. 8911 appropriations and estimated revenues (\$62,137) to purchase a weapons of mass destruction equipment vehicle and a hazardous materials incident response vehicle (\$163,234) (4/5 vote)
34. Approve and authorize Clerk to execute Budget Transfer No. 45 (\$58,000), to reallocate current year appropriations within the Department of Employment and Temporary Assistance to purchase 11 facsimile machines and 8 copy machines and adopt resolution increasing the FY 2002-03 Communications ISF Org. 8931 appropriations and estimated revenues to purchase 11 facsimile machines for the Department of Employment and Temporary Assistance (\$11,000) (4/5 vote)
35. Adopt resolutions increasing the FY 2002-03 appropriations and estimated revenues (\$39,300) in Probation Org. 34309999, to allow for the purchase of two vehicles for the Probation Department's Youth Challenge Community Program (4/5 vote), and increasing the FY 2002-03 Internal Service Fund within Fleet Services Org. 8911 (\$39,300) necessary for the purchase of the vehicles (4/5 vote)

Agreements – Approve and Authorize Chairman to Execute:

36. Retroactive amendments to agreements with WestCare California, Inc. for abuse treatment **DELETED** and non-toxicological substance Treatment and Relapse Prevention Services (\$18,944) and Residential and Intake, Referral and Case Management Services (\$18,944) provided to California Department of Corrections' parolees
37. Agreement with Catholic Charities, Inc., for Senior Companion Volunteers to provide services to elderly clients in their homes

38. Retroactive agreement with Unilab, Inc., for clinical laboratory testing services provided to the Human Services System (\$493,110)
39. Retroactive revenue agreement with California Integrated Waste Management Board for FY 2002-03 Local Enforcement Agency grant funds (\$26,581); adopt resolution increasing FY 2002-03 Fleet Services ISF Org. 8911 appropriations and estimated revenues (\$25,000) to purchase a four-wheel drive vehicle (4/5 vote); and authorize Clerk to execute related Budget Transfer No. 41 (\$32,018)
40. Agreement with ABM Janitorial Services to provide janitorial services at the Fresno County Plaza (\$203,320)
41. Agreement with Madera County for a maximum of five beds for female juvenile offenders referred to the Madera Correctional Camp Program by the Fresno County Probation Department (\$164,250)
42. Authorize the “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” with the provision of defense counsel to appear and defend with Reservation of Rights: Thomas Johnson, Deputy Sheriff III; as named in Fresno County Superior Court Case No.: 02 CE CG 03578 Florencio Chavira Gonzales, et al. v. County of Fresno, et al.
43. Authorize the “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” with the provision of defense counsel to appear and defend with Reservation of Rights: Victor Prado, Correctional Officer II: as named in Fresno County Superior Court Case No.: 02 CE CG 03563 David Rubio v. County of Fresno, et al.
44. Authorize the “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” with the provision of defense counsel to appear and defend with Reservation of Rights: Andrew Veneman, Deputy Sheriff III and Greg Issac, Deputy Sheriff III; as named in U.S. District Court Eastern District of CA Court Case No.: CIV-F-02-6150 AMI SMS – Jesse Cortez, et al. v. County of Fresno

AFTERNOON CONSENT AGENDA – ITEM NUMBERS 45-52

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ACAnWL

APPROVED ITEM NO. 47 AS RECOMMENDED

45. Adopt budget resolution increasing FY 2002-03 appropriations (\$225,000) in American Avenue Disposal Site (4/5 vote)
46. Accept work on Auberry Road, 4.2 miles north of Copper Avenue to 4.7 miles north of Copper Avenue, as complete in accordance with agreement dated April 3, 2001, with United States Department of Interior, Bureau of Reclamation
47. Adopt resolution authorizing submittal of application to State Department of Housing and Community Development for funding under Joe Serna, Jr. Farmworker Housing Grant Program (\$1,000,000); authorize Director of Department of Public Works and Planning to execute application and related documents and/or agreements necessary to participate in program and any amendments thereto subject to review of County Counsel and Auditor-Controller/Treasurer-Tax Collector

ACAnWL

APPROVED AS RECOMMENDED

48. Adopt resolution prohibiting stopping, standing or parking on east and west side of Golden State Blvd. from Amber Ave. to 1,000 feet north of Mountain View Ave. and on north and south side of Mountain View Ave. from State Route 99 to Golden State Blvd.
49. Adopt recommended actions for Tract No. 4962, west side of Madsen Avenue between Friant-Kern Canal and Nees Avenue Alignment
50. Approve City of Fresno's request to acquire road right-of-way along north side of East Behymer Avenue between Winery and Willow Avenues as indicated on file with Clerk to the Board
51. Accept easement deeds and approve right-of-way contracts for right-of-way acquisition for Academy Avenue, State Highway 180 to Shaw Avenue for a total monetary consideration of \$41,669

Agreements – Approve and Authorize Chairman to Execute;

52. Agreement with Self-Help Enterprises to loan HOME Investment Partnerships Program funds to subsidize 48 rental units for farmworker families in Del Rey Community (\$700,000) and approve Deed Restriction Agreement and authorize Director of Department of Public Works and Planning to execute Deed Restriction Agreement with Self-Help Enterprises to abide by HOME Program affordability requirements for 30 years

